

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	06-00391-01-CR-W-FJG
ALPHONZO HENDERSON,)	
)	
Defendant.)	

SUPPLEMENTAL REPORT AND RECOMMENDATION

On April 30, 2007, counsel for Defendant filed a motion pursuant to 18 U.S.C. § 4241 for a judicial determination of Defendant's mental competency (Doc. No. 62). Defendant was examined by Jason V. Dana, Psy.D., who prepared a report dated July 3, 2007.

On August 6, 2007, I held a competency hearing. Defendant was present, represented by appointed counsel Anita Burns. The government was represented by Assistant United States Attorney Stefan Hughes. During the hearing, both parties stipulated to the contents and findings of Dr. Dana's report. No additional evidence was offered by either party. On August 8, 2007, I filed a Report and Recommendation, finding Defendant was competent to stand trial and to assist in his defense (Doc. No. 75).

On August 10, 2007, Defendant filed a supplemental response to the competency hearing; records from the psychiatrist at CCA, Linda McCandless, M.D., were attached (Doc. No. 78). I have reviewed these records and my recommendation remains unchanged. Dr. McCandless' progress note confirms the information contained in Dr. Dana's July 3, 2007 report. Moreover, Mr. McCandless' role is more like that of a treating psychiatrist. She has not evaluated Defendant to determine his competency to stand trial. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding Defendant competent to stand trial and to assist in his defense.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
August 13, 2007